G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1914. 15
(Courts)

File No. 136-14

Previous
Nos.
26/8/14

Serial Nos. 1-4

Papers Filed.

Month Feb 15

SUBJECT.

In the matter of an apology
claimed by Mr. Chatterton from the
Chairman of the Bench of Magistrates

PREVIOUS REFERENCES.	LATER REFERENCES.
M. Ghosal 6.3.15.	

(6) a 1977

1568

G.R.S. 11] 1914-15

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 136 of 1914

FILE HEADING.

In the matter of an apology claimed by Mr Alfred Chatterton from the Chairman of the Bench of Magistrates

From

The Registrar, Chief Court

No. 2133/134 Dated 9/13. 11. 1914 Received 16. 11. 1914

Diary No.	Enclos. / Spare Copies.	Serial No.
J 1568	1 copies of correspondence	1

BRIEF ABSTRACT OF LETTER.

Forwards for the orders of Govt a letter from the District Magistrate of Bangalore together with its enclosures in the matter of the apology claimed by Mr Chatterton

NOTES AND ORDERS.

Sub

Reg. 116

16.11.1914 Please work up Subject to me on Friday next with an immediate Note for showing the file to Divan on Saturday next

Divan 18/11

18/11

NOTES—First Sheet.

GPB—35,000—15-6-12

G. R. S. 12]

General and Revenue Secretariat.

(b) File No. 136 of 191 4

Serial No.

3) The chairman admits having declined the letter but denies having used any disrespectful language. This must be held to be sufficient. Mr Chatterton was not justified in asking for an apology from the Court. The magistrate were not bound to take judicial notice of the letter; and if they had acted upon it, their action would have been illegal. ~~But~~ On the other hand, Mr Chatterton may be held to be guilty of contempt of Court in as much as he disobeyed the Summons of the Court, and ~~attempted~~ tried to influence their decision by writing a letter. Further, it is not clear how Govt can take any action in this matter, when the act alleged is said to have been done by a judicial Tribunal in the course of its judicial business.

Ss
20/11

See 7)
First Member

Dr Meerza 21/11

Ss 21/11

4) Has Mr. Chatterton written to Govt on the matter? If so, put up the letter.

22/11/14

Dr Meerza 23/11

Ss 23/11

G. R. S. 12]

1568 (3)

General and Revenue Secretariat.

D File No. 186 of 1914

Serial No.	
	5) No communication to Govt has been received from the Collector in the matter.
	Eg 24/11
✓	Asst Member)
	6) Get the records of the case for perusal reference, if it has been disposed of.
	24/11/14
Rets for further action Dwee 28/11	18.7.11
	7) Please put up draft calling for records
	Eg 25/11
Dp 26/11	8) Draft subd.
	Eg. 116
	26/11/14
Eas 5/12	9) Issue Cotas.
	Eg 28/11
	J 1588 dy 30/11/14
2	To The District Magistrate, Bangalore District.
	Requests him to forward the records of the case against R.C. Muniappah, if the case has been disposed of.
3	From the Same Addl
	No 3344 dy 15-12-1914

NOTE—Contn. sheet.

G P B—60,000—7-11-13

R-O.

1568 1917

4

(4

G. R. S. 12]

General and Revenue Secretariat. | C/- File No. 136 of 1914-15

Serial No.

Forwards the records of Crl Case No 133 of 1914-15 on the file of the Bench of Magistrates Court, Bangalore City.

10) Subd with refce to para 6-

Regd 116

18/12/14

18/12/14

First Member)

11) I have examined the record also. ~~If anyone has to be~~ ~~told~~ If the Magte had used the expression 'buen it', Mr C. would have some show of reason for Complaint. The Magte denies this allegation, and as Mr Ch. can only speak of what was reported to him hearsay, the expln of the Magte's must be accepted. On the other hand, Mr. Chatterton should have ~~known that~~ sent a letter when he knew that it could have no effect whatever. If any one has to apologise in this

G. R. S. 12]

General and Revenue Secretariat. | Ct File No. 136 of 1914-15

Serial No.

Case, it is certainly not the Magistrates.

(12) - The question is one which the D. Magte should have disposed of by a suitable reply to Mr. Chatterton on his own responsibility. It is surprising that he should think of making a reference to Govt on the matter & the High Court without returning it merely forward the Communication without Comment.

~~I think the best course to take~~

(13) Draft an order stating that Govt cannot understand how the Director of Industries, who had can Complain of the Court refused to receive or Consider a letter addressed to them Concerning the merits

G. R. S. 12]

General and Revenue Secretariat. | 5 File No. 186 of 1914.

Serial No.

of a case under trial. The use of discourteous language is denied and there is no reason to believe that any such language ~~could have been~~ was employed. On the other hand, the ~~Magistr~~ Court had good reason to take objection to ~~& complain of~~ the attitude assumed by ~~the~~ Mr. Chatterton with reference to the case.

(14) The Director was certainly not ~~quite~~ right in asking for an apology from Magistrates who exercised their functions with ~~considerable forbearance~~ a due sense of responsibility.

(15) Govt. also observe that the Dist. Magte should have disposed of the correspondence himself & that reference to Govt was quite unnecessary.

19/12/14

(16) Order to be submitted to the Dewan for approval.

(17) Dr 4/1 Draft 5/1/15

Ch 5/1/15

E 5/1/15

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G. R. S. 12]

General and Revenue Secretariat.

Ch File No. 136 of 1914-15

Serial No.	
	18) Sub with a draft order as instructed
	Rg. 116 ... by the First Member ...
	22/12/1914
	Es 23/12/14
	Sec')
3579 / 27.12.14	Draftsman) Drummond 24/12
	19) The order may issue with the approval of the First Member of Council. Es 26/12/14
	9.2.15.
	First Member) Drummond 10/2
	Draft appd: by First Member Es 10/2/15
	MS 15.2.15.
	20 Issue Es 18/2
4	To The Registrar Chief Court
	The Ol Magistrate Bangalore Ol
	No g 2823-4 of 20-2-15
	Observes that Govt can not understand how Mr. Challerton can complain if the court refused to receive a letter concerning the merits of a case under trial; as the other hand that the court had good reason to take exception to the attitude assumed by Mr. Challerton with reference to the case; that Mr. Challerton was not right in asking for an apology, & that the Ol Magistrate should have

NOTE—Contn. sheet.

G.P.S.—60,000—7-11-13

G. R. S. 12]

8

General and Revenue Secretariat.	c/o File No. 136 of 1914-15
Serial No.	
	disposed of his own evidence himself & that reference to Govt was quite unnecessary

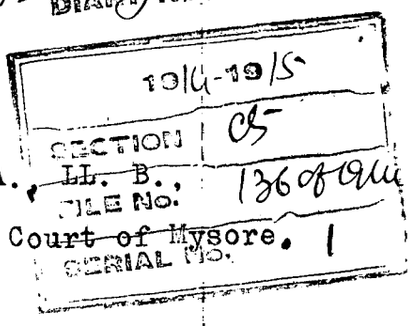
GPB—60,000—7-11-13

No: 2133 / 134 Jud. Dept. file.

CHIEF COURT OF MYSORE,

Bangalore, dated the 9th November 1914.

13th DIARY No. 5.6.8.



From

N. T. Gopaliengar, Esq., B.A., LL. B.,
Registrar of the Chief Court of Mysore.

To

D. M. Narasinga Rao, Esq., B.A., B.L.,
Offg Secretary to the Government of Mysore,
General and Revenue Departments.

S i r ,

I am directed to forward for the orders of the Government letter No. S.266 dated the 6th instant received from the District Magistrate of Bangalore together with its enclosures in the matter of an apology claimed by Mr. Chatterton, Director of Industries in Mysore, from the Chairman, Bench Magistrates court, Bangalore.

I have the honor to be,

S i r ,

Your most obedient servant,

N. Gopaliengar

REGISTRAR.

H.C.C.

Office of the District Magistrate,

Bangalore District.

No. L-266 (Free of cost)

Dated Bangalore, 5th November 1914.

6

From

K.Chandy Esq.,B.A.,

District Magistrate,

Bangalore District.

Encl 6 cs

136-14-1

To

D.M.Narasinga Rao Esq.,B.A., B.L.,

Offg:Secretary to the Government of H.H.

the Maharaja of Mysore, Genl.& Rev.Depts.,

(Through) The Registrar of the Chief Court of Mysore.

Sir,

I have the honor to forward herewith copies of the entire correspondence between Mr.Chatterton, the Chairman of the Bench of Magistrates and myself in the matter of an apology claimed by Mr.Chatterton from the Chairman.

1. The facts of the case appear to be that when a case against one Muniappa for an offence under section 96 of the Municipal Regulation came on for hearing before the Bench of Honorary -- Magistrates on the 21st October last, the accused Muniappa tender -ed a letter purporting to be from Mr.Chatterton in connection with the merits of the case, and that the Chairman of the Bench declined to accept the letter, and at the instance of the accused issued a summons to Mr.Chatterton for the 26th idem.

2. In reply to the letter enclosing the above summons Mr. Chatterton wrote back taking serious exception to the manner in which his official communication was reported by accused Muniappa to have been treated and calling for an explanation from the Chairman before sending up the case to the Government for orders, and declining to attend court till he had a reply. He at the same time sent me a copy of that communication and claimed an apology from the Chairman in open Court.

3. I called for a report from the Chairman as to what occurred and requested Mr.Chatterton to favour me with a copy of the --

the letter alleged to have been discourteously refused by the Chairman(Vide letters Nos.2228 dated 24th October 1914 and 2296 dated 27/29th October 1914).

4. In the meantime the Chairman had already replied to Mr.Chatterton(Vide his letter No.134 dated 23rd October 1914) explaining the circumstances under which the Bench could not take notice of the letter, and denying the allegations of discourteous treatment.

5. Mr.Chatterton however did not seem to have been satisfied with the explanation and wrote to me again enquiring -- whether I intended to take any official notice of it and stated that it was absolutely essential that the prestige of a -- Government Department should not be impaired in the way it had occurred.(Vide his letter No.1090 dated 24th October 1914). He wrote to the Chairman(Vide No./091/ dated 24th instant) that he had no objection to attend the Court(as stated by him in his previous letter) but that he is still entitled to an apology.

6. While the allegations of discourtesy are denied by the Chairman, the reasons assigned for declining to accept the -- letter are that it was not addressed to the Court by Mr.Chatte: -ton in his official capacity, as Director of Industries and Commerce, that it contained,as represented by the accused, a statement in support of his plea, that as under section 60 of the Evidence Act the oral evidence must be direct, the written communication could not be accepted and that the accused was advised to summon Mr.Chatterton, if he thought he could not prove his plea by other means.

7. Mr.Chatterton states that as the Bench could not be aware of the contents of the cover, the treatment accorded to the letter was an act of gross discourtesy to the Head of a Department and in his official capacity he is entitled to an apology. The Bench could not have known the exact contents of the letter before the cover was opened, but in the Chairman's letter of the 23rd October , it is stated that it was represented by the accused that it contained a statement

4

statement in support of his plea.

8. The copy of the letter, since received from Mr.Chatterton with his letter No.1182 dated 2-11-14 shows that it contained -- matter solely in reference to the merits of the case.

9. The Chairman's refusal to learn matters that are not presented judicially, cannot, I think, be pronounced to be incorrec and after the Chairman explained the facts in detail and denied having used discourteous language, it is not clear why Mr. -- Chatterton still insists on an apology.

10. As the question is not a purely judicial one in which the finding of a Superior Court is binding on either the Lower Court or on Mr.Chatterton, and as it would appear from the latter's letter of the 22nd October to the Chairman that he has already reported the case to Government, I am submitting the above -- facts for such orders as Government may be pleased to pass in the matter.

I have the honor to be,

Sir,

Your most obedient servant.

K. Chaudey

District Magistrate,
Bangalore District.

L.S.R.
1.

GPB—100,000—29-7-14

5

191

From

Beli Seeneevasa Rao Esq
Chairman of the
Bench of Magistrates

To

Court. Bangalore city
Alfred Chatterton Esq
F.C.S. I.S.C. I.S.E.
Director of Industries &
Commerce in Mysore
Bangalore

Dated

Despatched 23.10.14.

Received

General No. 130

No.

Enclosure No. Nil

Sir, I have the honor to acknowledge the receipt of your letter No. 1060 dated the 22nd instant, & to state that the accused on whose behalf the letter under reply was written by you has been charged by the city Municipal Council with an offence under section 96 of the Mysore Municipal Regulation - The first date of hearing was fixed to the 9th September

last on the last date of hearing the accused pleaded before the previous Bench of Honorary Special Magistrates that he would produce necessary orders & prayed for an adjournment to the 23rd idem, which prayer was granted. On the said date Munniappa presented himself before the Court but left it at 1.15 p.m. saying that he would produce some papers, but did not turn up till 3 p.m. when perhaps the Court was closed. The Bench then ordered the issue of a bailable warrant for the arrest of the accused & then adjourned the case to the 21st instant. Before this Bench, Munniappa pleaded that the building in question is an old one, that you have visited very often & that you have given him a letter. We declined to receive the letter because it contained, as represented by the accused, a statement in support of his plea - It was not addressed to us in your official capacity as Director of Industries & Commerce. Under Section 60 of the Evidence Act the oral evidence must be direct & your written communications could

could not therefore be noticed -
Muniappa then passed the
Court for the issue of a
witness summons to you,
though he was advised by
us not to trouble you but
to cite some other witness-
-es living near the build-
-ing, but he did not agree.
The Court there sent you
a Summons with a cover
-ing letter. To the best of
our memory we could
not possibly have given
expression to the words
complained of, as there
was barely any necessity
or occasion for it. The
case has again to be adjourned,
& if the accused still requires
your evidence in his favour
to be recorded, the Court
will

5

send you a fresh summons

in due course -

I have &c.

(Sd) B. Srinivasa Rao

Claimant

Copy "

Mr Ramakar

Dist Magte

Bangalore Dt

HS

26th October 14 -

The Chairman of the Bench
of Magistrates
Bangalore city

I have the honor to acknow-
ledge the receipt of your
letter No 130 of the 23rd In-
stant - I have no objection
to appearing as a witness in
your court on behalf of
Mr R.C. Immiappa - I am
quite aware that my written
communication which
was addressed officially to
the Bench of Magistrates
could not be received as
evidence, if such evi-
dence were necessary.
But as the Bench could
not be aware of the contents
of the cover, I consider
that the treatment accorded

to

60

the letter was an act of gross discourtesy to the Head of a Govt. Department, and I consider that in my official capacity, I am entitled to an apology.

I have &c.

(Sd) Alfred Chatterton

Director

"Copy"

Mr. Lancaster

I District Magistrate

Bangalore

AC

Copy of this office no R 2228/1 dated 24-10-14 to the Chairman of the Bench of Magistrates, Bangalore City

---

Here Enter letter No 1059 dated 22nd October 1914 from the Director of Industries & Commerce in Mysore with its enclosure.

Copies of the above are forwarded to the Chairman of the Bench of Magistrate Bangalore City with the request that a report of the facts may be submitted immediately -

---

(Copy)

M Rangachar

Asst to Bench Magistrate
Bangalore Distt

Copy of This office letter No. R 2296 dated 29-10-14 to Mr. A. Chatterton Director of Industries and Commerce Mysore; Bangalore

---

With reference to your letter No 1059 dated the 22nd inst and subsequent Communication bringing to notice The discourteous behaviour of The Honorary Chairman of The Bench of Magistrates Bangalore City towards The man employed by you in delivering a certain letter addressed by you to The Chairman I have The honor to state That a report has been Called for on The matter from The Chairman and I shall address you again, and to request That The letter That you forwarded to The Bench through Muneappa and was refused by The Chairman, may kindly be forwarded for reference if available

---

(Copy)

M Rangaiah

The District Magistrate
Bangalore District

Copy of letter no 1059 d 22nd October 1914.
from Mr Chatterton Director of Industries
& Commerce in Mysore to The District
Magistrate Bangalore

I have the honor to enclose for your information
a copy of a letter which I have addressed
to the Chairman of the Bench of Magistrates
Bangalore City. The letter explains
itself and I think that the Chairman
of the Bench of Magistrates should
be directed to tender me an apology
in open court for the discourteous
treatment accorded to my official
letter.

(Copy)

M Rangachar

I District Magistrate
Bangalore

G.V.

Copy of letter no nil dated 22nd October 1914 from mr A. Chatterton to The Chairman of The Bench of Magistrates Bangalore City

---

I have The honor to acknowledge The receipt of your General no 130 dated The 21st October 1914 enclosing a summons for me to appear in The Case of mr N C. Munisappa. It appears That at The sitting of The Magistrates yesterday mr. N C Munisappa tendered a letter from me addressed to The Bench of Magistrates and he was told That he might take it away and burn it and The letter was returned to me unopened. This was done in open court. Before submitting The Case to Government for orders, I should be glad to receive an explanation of The discourteous manner in which The Bench of Magistrates have chosen to treat an official Communication which I have addressed to

There

4-

them . Till I have received a reply to this letter. I do not intend to appear before the Bench of Magistrates

---

(Copy)

M Ram Rao

I Addl District Magistrate

Bangalore District

N.

16

Copy of letter no: 2396 dated 3-11-1914 from the District Magistrate to Alfred Chatterton Esq F.C.G.I.C.I.E, Director of Industries and Commerce in Mysore, Bangalore.

In reply to correspondence ending with your letter no: 1182 dated 2nd November 1914 on the subject of the behaviour of the Chairman of the Bench of Magistrates in refusing to receive a letter addressed by you, etc, I have the honor to inform you that I am making a reference to Government on the subject, and shall address you again after receipt of orders.

Sd. K. Chandy
District Magistrate

"Copy"

M Ramachar

For District Magistrate
Bangalore district

W

17

Copy of letter No: 1182/1 dated 2nd November 14 from the Director of Industries and Commerce in Mysore, Bangalore, to the District Magistrate, Bangalore District. Bangalore city.

In reply to your No. K 2352, dated the 31st October 1914, I have the honour to enclose a copy of the original letter I addressed to the Bench of Magistrates. I should like you to note that the contents of this letter were unknown to the Bench of Magistrates as they have refused to receive it; and not only did they refuse to receive it, but, as I have already stated, they did so in an extremely discourteous manner.

s.d. Alfred Chatterton
Director

"Copy"
M Ramachar

---

for District Magistrate
Bangalore District.

W -

18

Copy of letter addressed to the Bench of Magistrates by the Director of Industries and Commerce on the 23rd Sept 1914.

Gentlemen,

Mr. R.C. Munnappa has been summoned before you for contravening Regulation No. 96 of the Mysore Municipal Regulations No. VII of 1896. I have carefully perused the Regulations, and I can state confidently for your information that he has in no way contravened that Regulation. He has not erected any new building, or altered any old building. He has installed an oil mill under my supervision and advice and the installation of this machinery simply takes the place of more primitive machinery which he formerly used. There have been no material alterations, enlargements or reconstructions, and no alterations of the internal arrangements affecting drainage, ventilation, and other sanitary arrangements.

I have etc - - -

"True Copy"
S.d. Alfred Chatterton
Director

"Copy"
M Rameakar
for District Magistrate
Bangalore District

Copy of letter No: R 2352 dated 31/10/14
from the District Magistrate Bangalore
District to the Director of Industries
and Commerce in Mysore, Bangalore.

Adverting to your no 1059 dated
the 22nd of October 1914, I have the
honor to invite your kind reference
to my no R2296 dated the 27/29th of
October 1914 requesting that the
Communication forwarded by you
through accused & Muniappa to
the Chairman may kindly be sent
for reference. I have called for
and obtained a report from the
Chairman and have to see the above
Communication also before taking
further action.

sd M. Hassan Ali
For District Magistrate
Bangalore District.

"Copy"

M Ramachar

for District Magistrate
Bangalore District.

W

Copy of letter No: 1126 from the Director of Industries and Commerce in Mysore Bangalore, to the District magistrate Bangalore city.

I have the honour to draw your attention to my No. 1090 dated the 24th October 14 relating to the Conduct of the Chairman of the Bench of Magistrates, and to request you will be good enough to let me know whether you have taken any action in the matter or not.

sd. Alfred Chatterton
Director

"Copy"

M Rangachar
District magistrate
Bangalore District.

BV

Copy of letter No: 141 dated 27th October 1914
from the Chairman of the Bench of
Magistrates Court, Bangalore city to
the District Magistrate, Bangalore.

I have the honor to acknowledge the
receipt of your official Memo No: 2228
dated the 26th Instant and to enclose
herein copies of correspondence passed
between us and Mr. Alfred Chatterton
Director of Industries and Commerce
in Mysore, which will explain what
happened in the court regarding the
matter referred to by him. His first
letter No: 1060, addressed to the Court,
shews what dignity he attaches
to a Court of Justice. It is needless
for me to state that we were not
bound to reply to his letter, yet as a
matter of courtesy we did so. The
gentleman does not realize his position
in the case pending before the Court,
namely that he has placed himself
in the position of a defence witness,
and as such he should have attended
the Court; but he informed us
that he did not intend to appear
before us till he received a reply.

We

We had therefore, to adjourn the case.

2. I beg to state, in conclusion, that Mr. Chatterton is laboring under a misapprehension when he states that his official communication was not received by us.

Sd. Bellsrinivasa Rao
Chairman.

"Copy"

M Ramachar
Dy District magistrate
Bangalore District.

KV.

Letter No 1060 dated 22nd October 1914
from the Director of Industries and Commerce
in Mysore to the Chairman of the
Bench of Magistrates, Bangalore city

I have the honor to acknowledge the
receipt of your general No 130 dated
the 21st October 1914 enclosing a summons
for me to appear in the case of Mr
R C Muniyappa. It appears that
at the sitting of the Magistrates yesterday
Mr R C Muniyappa tendered a letter
from me addressed to the Bench of
Magistrates and he was told that
he might take it away and burn it,
and the letter was returned to me
unopened. This was done, in open
Court. Before submitting the case
to Government for orders, I should
be glad to receive an explanation
of the discourteous manner in which
the Bench of Magistrates have chosen
to treat an official communication
which I have addressed to them.
Till I have received a reply to
this letter, I do not intend to appear
before the Bench of Magistrates.

Letter No: 134 dated 23rd October 1914
from

24

from the Chairman of the Bench of Magistrates, Bangalore city to the Director of Industries and Commerce in Mysore Bangalore.

I have the honor to acknowledge the receipt of your letter No. 1060 dated the 22nd instant and to state the accused, on whose behalf the letter under reply was written by you; has been charged by the City Municipal Council, with an offence under section 96 of the Mysore Municipal Regulation. The first date of hearing was fixed to the 9th September last and on the date of hearing the accused pleaded before the previous Bench of Hony: Special Magistrates that he would produce necessary orders and prayed for an adjournment to the 23rd idem, which prayer was granted. On the said date Muniyappa presented himself before the court, but left it at 1.15 Pm. saying that he would produce some papers, but didnot turn up till 3 Pm, when perhaps the court was closed. The Bench then ordered the issue of a bailable warrant for the arrest of the accused, and adjourned the case to the 21st instant. Before this Bench Muniyappa pleaded that the

MKB

the building in question in an old one, that you have visited it very often and that you have given him a letter. We declined to receive the letter because it contained as represented by the accused, a statement in support of his plea. It was not addressed to us in your official capacity as Director of Industries and Commerce. Under section 60 of the Evidence Act the oral evidence must be direct and your written communication could not therefore be noticed. Muniyappa then pressed the Court for the issue of a witness summons to you, though he was advised by us not to trouble you but to cite some other witnesses living near the building but he did not agree.

The court then sent you a summons with a covering letter. To the best of our memory we could not possibly have given expression to the words complained of as there was hardly any necessity or occasion for it. The case has again to be adjourned, and if the accused still requires your evidence in his favour to be recorded, the

Court

2/6

Court will send you a fresh summons in due course.

---

5. Letter No: 1091 dated 24th October 1914 from the Director of Industries and Commerce in Mysore to the Chairman of the Bench of Magistrates, Bangalore city.

I have the honor to acknowledge the receipt of your letter No. 130 of the 23rd instant I have no objection to appearing as a witness in your Court, on behalf of Mr R. C. Muniyappa. I am quite aware that my written Communication which was addressed officially to the Bench of Magistrates could not be received as evidence, if such evidence were necessary. But as the Bench could not be aware of the contents of the cover, I consider that the treatment accorded to the letter was an act of gross discourtesy to the Head of a Government Department and I consider that in my official capacity I am entitled to an apology.

Copies
Sd. Balesamiva Rao
Chairman

"Copy"

M Rama Rao
District Magistrate
Bangalore District.

Letter No. 1090/Misl. dated 24th October 1914. from The Director of Industries and Commerce in Mysore Bangalore to the District Magistrate Bangalore District. Bangalore city.

In continuation of my No. 1059 dated the 22nd inst. I have the honor to enclose in original a letter received from the Chairman of the Bench of Magistrates, Bangalore city denying the allegations made by Mr. R.C. Muniappa. The denial it should be observed, is not positive, but is simply to the "best of his memory." I also enclose a copy of a reply which I have addressed to the Chairman, and I should be glad to be informed if you intend to take any official notice of it. It is I think absolutely essential that the prestige of a Government department should not be impaired in open court in the way it has occurred.

Sd. Alfred Chatterton
Director

"Copy"

M Rangachar

I District Magistrate
Bangalore district.

RV

28

Letter No: 1091 dated 24th October 1914
from the Director of Industries and
Commerce in Mysore, Bangalore
to the Chairman of the Bench of
Magistrates, Bangalore city.

I have the honor to acknowledge
the receipt of your letter No: 130 of the
23rd inst. I have no objection to
appearing as a witness in your court
on behalf of Mr. R.C. Muniappa.
I am quite aware that my written
Communication which was addressed
officially to the Bench of Magistrates
could not be received as evidence,
if such evidence were necessary. But as
the Bench could not be aware of
the contents of the cover, I consider
that the treatment accorded to
the letter was an act of gross discourtesy
to the Head of a Government Department,
and I consider that in any official
capacity I am entitled to an apology.

I.d. Alfred Chatterton
Director

"Copy"

M Rangachar
District Magistrate
Bangalore District.

29

G. R. S. 26]

30/11 12.30 pm

File No. 136-14

Serial No. 2

Diary No. of letter replied to

No. J/1588

General and Revenue Secretariat

( )

, the *191* .

To

The District Magistrate,

Bangalore Dist.

Date of issue 30/11/14.

Signed by M. G. Srinivasaiya

Sir,

Adverting to your letter no. 266 dated the 5th Nov 1914, read therewith the Registrar, Chief Court, in the matter of an apology claimed by Mr Chatterton, Director of Industries, from the Chairman, Bench of Magistrate's Court, Bangalore City, I am directed to request that the records of the case in which against R. C. Muniappa ~~said to have been~~

over.

SUBJECT.

60

20

maybe obtained and forwarded for reference if the case has been disposed of.

I have &c.

28/4

for Chief Secretary

28/4/43

List of enclosures

Copied by

Examined by

GPB—25,000—4-3-13

GPB—100,000—29-7-14

31

From 191

The Deputy Commissioner

Bangalore District

To

The Secretary to the Govt

General & Rev Depts

Dated

Despatched 15-12-14

Received

General No. J 334

No.

Enclosure No. 1 File of records.

Re The records in Cr. case No 133

of 14-15 on the file of the

Bench Court

32

F. 334
Fr. (2ccc
Form

Office of the District Magistrate
Bangalore District
Date d 15th December 1914.

J 1977

DIARY No. .....
1914-1915
SECTION 15
FILE No. 136-14
SERIAL No. 3

To
R. Chenchy Esqr B.A.
District Magistrate
Bangalore District

Offg Secretary to the Govt of Mysore
General & Revenue Department.

Sir.

With reference to your letter No J 1588/136.14.2 dated 30th November 1914, I have the honor to forward herewith the records in Criminal Case No 133 of 1914/15 on the file of the Bench Magistrate's Court Bangalore as called for.

I have the honor to be
Sir
Your most obt Servant
[illegible]
Asst Commissioner
for District Magistrate
Bangalore Dt.
(Absent from the Station)

W.

Re Apology claimed by Mr Chatterton from the Chairman of the Bench of Magistrates, Bangalore

4

G.R.S. 28]

1812 ctd

Comtl File No. 1360 of 1914
Serial No. 4

Diary No. of letter replied to 1477

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

READ—

, *the* 191 .

Paper under disposal

Letter No 2133/134 dated the 9th November 1914 from the Registrar, Chief Court, forwarding for the orders of Govt a letter received from

Date of issue 20. 2. 1915.

Signed by M G Srinivasa

~~ORDER THEREON. No.~~

the District Magistrate of Bangalore in the matter of an apology claimed by Mr Chatterton, Director of Industries, from the Chairman of the Bench of Magistrates (~~Comtl~~) O.T. over.

SUBJECT.

GPB—50,000—1-12-12

3C

Bangalore city.

2) Correspondence ending with letter no. 334 dated the 15th Dec 1914 from the Dist. Magistrate, Bangalore District, forwarding the records of Crl case no 133 of 1914-15 on the file of the Court of the Bench of Magistrate, Bangalore city.

Order thereon - no. J 2823-4. Encl. 1 file to the D.M

The circumstances in which ~~the case arose~~ Mr Chatterton wrote for an apology from the Chairman of the Bench are as follows:—

When a case against one Muniappa, accused of having committed an offence under Sec 96 of the Municipal Reg:, came on for hearing before the Bench of Magistrate on the 21st Oct 1914, accused Muniappa tendered a letter, purporting to be from Mr Chatterton, in connection with the merits of the case but the Chairman declined to accept

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

the letter and issued at the instance of the accused, a summons to Mr Chatterton for appearing as a witness before the Court. In reply to the letter forwarding the said summons to the Chairman, Mr Chatterton wrote, ~~back~~ taking exception to the manner in which his official communication was reported by accused Munisappa to have been treated by the Bench and asked called for an explanation from the chairman, declining at the same time to attend the Court till he had a reply from him. Mr Chatterton ~~At the same time he~~ wrote to the District Magistrate also in the matter clearing ~~and urged for~~ an apology in open Court from the Chairman.

2) Govt have examined the reads of the case ~~also~~ and cannot understand how Mr Chatterton can complain if the Court refused to receive or consider

3 6

a letter addressed to them concerning the merits of a case under trial: The use of discourteous language is denied by the Chairman and there is no reason to believe that such language was employed. On the other hand, the Court had good reason to take exception to the attitude assumed by Mr. Chatterton with reference to the case.

3) Mr. Chatterton was certainly not right in asking for an apology from the Magistrate who exercised their functions with a due sense of responsibility.

4) Govt. also observe that the District Magistrate should have disposed of the correspondence himself and that reference to Govt. in the matter was quite unnecessary.

15/2/15

S. 1/1908—15,000—13-11-11

To The Registrar, Chief Court.
The District Magistrate, Bareilly Dist., returning the records